

**BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION**

In the Matter of the Revocation	)	
	)	
or Suspension of the Educator	)	<b>ORDER OF SUSPENSION</b>
	)	<b>(BREACH OF CONTRACT)</b>
Certificate of Mark L. Skinner	)	
	)	
Certificate # 216597	)	

**SUMMARY OF THE CASE**

The South Carolina State Board of Education (State Board) considered this matter on January 13, 2004. On December 19, 2003, the State Department of Education (Department) sent Mr. Mark L. Skinner a notice of his right to a due process hearing regarding the possible suspension of his South Carolina educator certificate (certificate) by certified mail, return receipt requested delivery restricted to addressee. Mr. Skinner received the notice on December 27, 2003, as evidenced by the postal receipt bearing his signature. Mr. Skinner did not request a hearing during the period allowed by law, and is now in default. After considering the evidence presented by the Department, which was undisputed by Mr. Skinner, the State Board voted to suspend Mr. Skinner's certificate for one year.

**FINDINGS OF FACT**

Mr. Skinner holds a valid certificate, with over two years of teaching experience. He was under contract with Richland County School District One (District) for the 2003-2004 school year, as a math teacher at A.C. Flora High School. On August 28, 2003, Mr. Skinner requested that the District release him from his contract, effective September 12, 2003. In his letter, Mr. Skinner indicated he had a bad attitude and no longer had the passion to teach or help students. Dr. Sandra Rowe, Director, Certified Employment Services wrote Mr. Skinner on August 29, 2003, denying his request until a suitable replacement could be obtained.

On September 19, 2003, the Dr. Sanita Savage, Senior Associate for Human Resources wrote Mr. Skinner that the District administration would recommend to the District Board that the Board file a complaint with the State Board if he did not return to work by September 23, 2003. Mr. Skinner did not return to work after September 12, 2003. On November 28, 2003, the District Board voted to file a complaint with the State Board seeking the suspension of Mr. Skinner's certificate for breach of contract.

### **CONCLUSIONS OF LAW**

The State Board may suspend the certificate of any person for breach of contract. S.C. Code Ann. § 59-25-530 (1990). Unprofessional conduct includes breach of contract. S.C. Code Ann. § 59-25-160 (1990); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is conclusive evidence supporting its decision to suspend Mr. Skinner's certificate # 216597 for a period of one year from January 13, 2004, through January 12, 2005, on the ground of unprofessional conduct due to breach of contract. At the end of the suspension period if he wants his certificate reinstated, Mr. Skinner may make a written request for reinstatement to the Office of Teacher Education and Certification of the Department.

South Carolina State Board of Education

By: /S/ Mary E. Jones

Dr. Mary E. Jones

Chair

Columbia, South Carolina  
January 13, 2004